

## Business Development Success: Winning over clients who are already satisfied with current counsel

By [LawVision](#) on September 12, 2013

Recently, a client hired me to conduct a survey of general counsel in a defined local market. The survey sought, among other things, to uncover the attitudes of general counsel toward a specific list of local firms. A common theme that emerged from that research was a prevalent attitude toward existing counsel. I'll summarize what we kept hearing (almost verbatim) for you: "I have a guy who does my (leasing, contracts, merger ... fill in the blank) work for me. He's 'my guy.' I trust him. I don't have the time to go shop around for someone else and I can't afford to take a risk on someone else. My guy gets me what I need, so I'm staying with him, even if he makes a mistake." Our research team started calling it the "my guy" syndrome which we quickly changed to the "my lawyer" syndrome.

When I think about the "my lawyer" syndrome, two things come to mind: First, no one said I have a "firm" I trust; instead, they all referred to an individual lawyer. Second, replacing the existing lawyer is never easy. The "my lawyer" syndrome is confirmed for me every time I meet with lawyers at firms across the country. When I ask lawyers to share obstacles they encounter in developing business, many of them include the feeling that everyone is already represented or, in other words, everyone already has someone they refer to as "my lawyer."

The question then becomes...***Since general counsel buy from people they already know and trust, how do you get that first engagement?***

Here are a few things our clients have done when trying to build new relationships where current relationships seem strong.

1. **Work your existing relationships first.** Since existing relationships are so compelling, start there. Think about your existing clients who already refer to you as "my lawyer." Ask for referrals, ask who else could use your services, and explore ways to expand the engagement to use others at your firm for related matters.
2. **Add value.** This is a trite phrase, but very important. Here is an example from our survey: One GC told us he had a "guy" who took care of his outside work, but when we asked if he attended any seminars put on by firms, he identified a firm other than the one he used and said he went to their quarterly seminars because he found them useful for keeping up on his areas of interest. When we asked if he would ever use that other firm, he admitted they were probably second on the list if his "guy" was ever unavailable.
3. **Let them sample.** The more you can let them see what the experience of working with you will be like, the better off you are. Find ways to do smaller, segmented, defined tasks in an area of expertise and then grow from there. Work with them to identify together an appropriate matter on which they would be willing to give you a try. Jeff Kindler, former CEO of Pfizer corporation and former general counsel for McDonald's, says it best (as quoted in [Inside Outside: How Businesses Buy Legal Services](#) by Larry Smith):

*When you're trying to sell something to somebody, the question in your mind ought to be,*

*'What's his problem and how can I help him solve it?' The process should start with the very first meeting, beauty contest or no beauty contest. Some firms worry about giving themselves away for nothing. Others know that the samplers sell the loaf..."*

4. **Uncover unknown needs.** Uncovering known needs is a standard approach to business development. But simply asking what a prospect needs keeps you down with the other wannabes who ask the same question. Do more than just ask what prospects need; help them understand new possibilities, perhaps even apply new legal theories or case law to solve a problem or create a competitive advantage for the company. Mark Herrman, vice president, chief counsel – Litigation and global chief compliance officer at Aon, in his Above the Law post [Inside Straight: Getting Business By Inventing Business](#), says:

*As in-house counsel, I would surely spend an hour listening to a lawyer who sounded rational by phone and told me that he saw some legal advantage that my client was overlooking. And, if the idea made sense, I'd almost surely hire the law firm that had ginned up the idea. After all, that firm had the creativity to unearth the concept, and the firm put in the time and effort to research the law and investigate our business. Come to me with that proposal, convince me, and I suspect I'll hire you."*

5. **Remember: Not everyone is happy with current counsel.** Studies show that many clients do not recommend the firm that gets the largest percentage of their legal spend. Relationships may seem thick and tight from the outside, but there is nearly always some dissatisfaction or need for a specific skill set or expertise. Don't be afraid to inquire about gaps.
6. **Know your value proposition.** Your unique value proposition answers the questions regarding why someone would hire you instead of someone else. If you don't yet know the answer to these questions, you need to figure it out. What makes you unique? Is there something in the way you deliver legal services that makes you a perfect fit for a particular sector? What value do you add that your competitors can't?
7. **It takes time.** Don't be discouraged if breaking into a new client doesn't happen right away. Current relationships won't melt immediately (if at all). It may take a while to identify the right opportunity to sample your expertise. The key is to have a short list of potential clients for which you are continually trying to find the right opportunity for your expertise. Work that list on a regular basis — and when the right opportunity emerges, you'll be ready.